

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2009-319-T - ORDER NO. 2009-912

DECEMBER 22, 2009

IN RE: Application of Eric Weaver d/b/a Pizza Cake)	ORDER GRANTING
Moving Company for a Class E (Household)	CLASS "E" MOTOR
Goods) Certificate of Pubic Convenience and)	CARRIER CERTIFICATE
Necessity for Operation of Motor Vehicle)	OF PUBLIC
Carrier)	CONVENIENCE AND
)	NECESSITY

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Application of Eric Weaver d/b/a Pizza Cake Moving Company ("Weaver" or "Applicant") for a Class E (Household Goods) Certificate of Public Convenience and Necessity. Weaver is seeking authority to move household goods in Greenville, Pickens and Spartanburg Counties. Pursuant to 26 S.C. Code Regs. 103-821(C)(3)(a), the Applicant published notice of filing in the *Pickens County Courier*, the *Spartanburg Herald-Journal* and the *Greenville News* on August 19, 2009. No parties intervened, and a hearing on the Application was held on December 17, 2009, in the offices of the Commission.

The parties at the hearing included Eric Weaver, appearing *pro se*, and the Office of Regulatory Staff ("ORS"), represented by Shealy Reibold, Esquire. George Parker, manager of the ORS Transportation Department, testified for the ORS.

During the hearing, Weaver testified to his prior experience moving household goods and that he was aware of and intended to comply with the Commission's

regulations concerning household goods movers. He stated that there is a need for movers in the area in which he seeks certification. He further presented the testimony of a shipper witness, Ms. Phyllis Kelley of Easley, South Carolina, who testified as to Weaver's competence and the need for his services in the area.

For ORS, Parker testified that he found Weaver's application to be in order. Parker also stated that he performed an inspection and found Weaver's equipment to be acceptable.

The Commission finds the Application to be in order. Additionally, we conclude that the Applicant has demonstrated that he is fit, willing, and able to operate as a household goods mover pursuant to S.C. Code Ann. § 58-23-330 (Supp. 2008) and 26 S.C. Code Ann. Regs. 103-133 (Supp. 2008). Furthermore, we find that the public convenience and necessity is not already being adequately served by existing authorized service. Therefore, the Application of Eric Weaver d/b/a Pizza Cake Moving Company should be granted.

IT IS THEREFORE ORDERED:

1. The Application of Eric Weaver d/b/a Pizza Cake Moving Company for a Class E Certificate of Public Convenience and Necessity is approved for the Applicant to transport household goods in Greenville, Spartanburg and Pickens Counties.

2. Eric Weaver d/b/a Pizza Cake Moving Company shall file with the Office of Regulatory Staff the proper insurance, safety rating, and other information required by S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 of the Commission's Rules and Regulations for Motor

Carriers, as amended, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

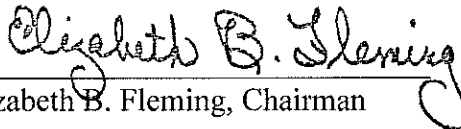
3. Upon compliance with S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann. Regs. Vol. 26 (1976), as amended, a Certificate shall be issued by the Office of Regulatory Staff authorizing the motor carrier services granted herein.

4. Prior to compliance with the above-referenced requirements and receipt of a Certificate, the motor carrier services authorized by this Order shall not be provided.

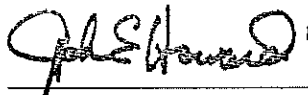
5. Failure of the Applicant to either (1) complete the certification process by complying with the Office of Regulatory Staff requirements of causing to be filed with the Commission proof of appropriate insurance and an acceptable safety rating within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, may result in the authorization approved in the Order being revoked.

6. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman
(SEAL)